

1 Laura K. Granier, Esq (SBN 7357)  
2 Erica K. Nannini, Esq (SBN 13922)  
HOLLAND & HART LLP  
3 5441 Kietzke Lane, 2nd Floor  
Reno, Nevada 89511  
4 Tel: 775-327-3000  
Fax: 775-786-6179  
5 [lkgranier@hollandhart.com](mailto:lkgranier@hollandhart.com)  
6 [eknannini@hollandhart.com](mailto:eknannini@hollandhart.com)

7 Hadassah M. Reimer, Esq (Wyo. Bar No. 6-3825)  
8 *Admitted Pro Hac Vice*  
HOLLAND & HART LLP  
9 P.O. Box 68  
Jackson, WY 83001  
10 Tel: 307-734-4517  
11 Fax: 307-739-9544  
12 [hmreimer@hollandhart.com](mailto:hmreimer@hollandhart.com)

13 *Attorneys for Defendant-Intervenor*  
14 *Lithium Nevada Corp.*

15 **UNITED STATES DISTRICT COURT**  
16 **FOR THE DISTRICT OF NEVADA**

17 )  
18 ) Case No. 3:21-cv-00080-MMD-CLB  
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BARTELL RANCH, LLC, a Nevada limited liability company and EDWARD BARTELL, Plaintiffs, v. ESTER M. MCCULLOUGH, Winnemucca District Manager, Bureau of Land Management; BUREAU OF LAND MANAGEMENT, Defendants, and LITHIUM NEVADA CORP., Defendant-Intervenor.  
LITHIUM NEVADA CORP.'S RESPONSE TO BURNS PAIUTE TRIBE'S MOTION TO INTERVENE

Based on representations from counsel for the Burns Paiute Tribe described below, Lithium Nevada Corp. (“Lithium Nevada”) does not oppose the Burns Paiute Tribe’s motion to intervene in the above captioned case but reserves the right to assert any defenses or jurisdictional or procedural challenges to the Burns Paiute Tribe’s claims. In filing this non-opposition, Lithium Nevada relies on the representation of counsel for the Burns Paiute Tribe that, (i) if permitted to intervene quickly (facilitated by non-opposition to its motion to intervene) it does not intend to file a separate preliminary injunction motion but instead will join in the previously filed motion for preliminary injunction; (ii) it will adhere to the existing schedule agreed upon by all of the parties (including the most recent intervenors) and ordered by this Court; and (iii) no arguments will be asserted that non-opposition to its intervention is a concession of any issue or legal argument or defense.

Lithium Nevada notes that the Reno Sparks Indian Colony and People of Red Mountain both represented in their reply in support of the motion to intervene that they would adhere to the existing briefing schedule agreed to by then existing parties and adopted by the Court. (ECF No. 54). In their representation that they would adhere to that schedule they further represented to this Court their understanding that the Federal Defendants may require additional time to submit the administrative record on their new claims. (ECF No. 54 at 3: 4-7; 6:22-23). In granting the intervention the Court noted it would mitigate potential prejudice asserted by Lithium Nevada by requiring adherence to the existing schedule and then included that requirement in the Order. (ECF 59 at 4:17-20, 9:15-16).

DATED this 05th day of August 2021

By: /s/ Laura K. Granier

Laura K. Granier, Esq (SBN 7357)  
Erica K. Nannini, Esq (SBN 13922)  
Holland & Hart LLP

1                   5441 Kietzke Lane, 2nd Floor  
2                   Reno, Nevada 89511  
3                   Tel: 775-327-3000  
4                   Fax: 775-786-6179  
[lkgranier@hollandhart.com](mailto:lkgranier@hollandhart.com)  
[eknannini@hollandhart.com](mailto:eknannini@hollandhart.com)

5                   Hadassah M. Reimer, Esq  
6                   (Wyo. Bar No. 6-3825)  
7                   *Admitted Pro Hac Vice*  
8                   Holland & Hart LLP  
9                   P.O. Box 68  
10                  Jackson, WY 83001  
11                  Tel: 307-734-4517  
12                  Fax: 307-739-9544  
[hmreimer@hollandhart.com](mailto:hmreimer@hollandhart.com)

13                  *Attorneys for Defendant-Intervenor*  
14                  *Lithium Nevada Corp.*

HOLLAND & HART LLP  
5441 KIETZKE LANE, SUITE 200  
RENO, NV 89511-2094

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**Certificate of Service**

I hereby certify that on August 05, 2021, I filed the foregoing using the United States District Court CM/ECF, which caused all counsel of record to be served electronically.

/s/ *Laura K. Granier*  
Laura K. Granier, Esq (SBN 7357)

HOLLAND & HART LLP  
5441 KIETZKE LANE, SUITE 200  
RENO, NV 89511-2094